

**UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA**

Richard Katz
Plaintiff

Case No.: **3:15-cv-01187**

v.

NATIONAL BOARD OF MEDICAL EXAMINERS (NBME)

3750 Market Street

Philadelphia, PA 19104

and

FEDERATION OF STATE MEDICAL BOARDS (FSMB)

400 Fuller Wiser Road, Suite 300

Eules, Texas 76039-3855

Defendants

Motion for a Motion of Hearing

NOW COMES plaintiff Richard Katz appearing pro se in the above captioned matter moves for an Order of this Court to schedule a hearing on his Second Motion for Appointment of Counsel.

THEREFORE, Second Motion for Appointment of Counsel has been submitted to this Court and the status of legal representation requires further scrutiny at this time. Plaintiff respectfully requests that the Court set the earliest possible hearing date.

1. Plaintiff filed his initial complaint on June 17th, 2015 in this Court. Plaintiff petitioned the Court on June 17th to file in forma pauperis status. The Court granted plaintiff's request. Plaintiff also requested from Court to Appoint Counsel at this time. This

request was denied by this Court on September 16th, 2015 because the Court determined that plaintiff was not diligent in his efforts in the search for counsel. As documented in log of 'Attorney Contacted' submitted with Second Motion for appointment of Counsel Plaintiff consulted a total of five attorneys between December 2013 and December 2014. None of these Attorneys were willing to commit to taking on Plaintiff's case.

2. As set forth in the accompanying motion, plaintiff has made an exhaustive attempt to secure counsel by his own efforts, but has been unsuccessful to date.
3. In order to continue his investigation to the extent permitted by discovery it will be imperative to this investigation for counsel to be appointed by this Court at this time.
4. According to The Middle District Court of Pennsylvania telephone conferences will generally be acceptable for case management conferences, status conferences, scheduling and discovery conferences.
5. Generally, the court will require that all counsel participate in any conference with the court by the same means, i.e., all counsel participate by telephone or all counsel be present in person. Exception may be made where one or more counsel must travel a substantial distance for a conference anticipated to be of short duration.

Respectfully submitted,

Richard Katz

3364 Parker Lane
East Stroudsburg, PA
18301
Pro se

/s/ Richard Katz_____

Richard Katz

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served upon:

Michael Sacks

Hamburg & Golden, P.C.

1601 Market Street Suite 3310

Philadelphia PA 19103-1443

Date: December 1st, 2015

/s/ Richard Katz_____

Richard Katz